Counties.	S. Hogg.	7. Flanagan.	. C. Heath.	Scattering.	Geo. C, Pendleton.	Mak mson.	Thompson.	Scattering.
	٦.	w	国	SZ	Ď	M	E	SZ.
Parker	3305	222	87	ıi	3283		91	
Pecos	206 1206		i	3	213 1167	40 623		• • • •
Potter	178	1	1		179			
Presidio	645			36	684 67	38	••••	
Randall Red River	$\begin{array}{c} 67 \\ 2069 \end{array}$	1095	5		2085	1081	2	
Reeves	376	14			396	15		
Rains Refugio	590 157	74 56		1	593 1 152	74 59		
Roberts	73	18			72	17		
Robertson Rockwall	2780 935	185 4 39	19 1 21	i	2802 944	1874 39	10 112	1
Runnels	575	39 32	121	,	584	31	2	
Rusk	1794	1090	3		1805	1046		
Sabine San Augustine	725 695	149 286	•••	• • • • •	717 752	149 285		••••
San Jacinto	444	616			440	621		
San Patricio	194	1 59	07	····i	196			
Scurry	973 335	3	27	i	995 332	55 3	28	
S ackelford	329	42	2		334	49		
Shelby Sherman	1414 10	$\frac{201}{1}$	••••	• •	1419 10	191	••••	
	2552		10	i	2462		9	
Somervell	557			١ ١	54	6		
Starr Stephene	738 703	544 10			739 710	543 10		•••••
Stonewall	226				219			
Suiton Swisher	164 51				160 51		¦	.
Tarrant.	4178		12	1	4241	855	3	
Throckmorton	197				194		•••••	
Titus Tom Green	$\frac{1210}{1065}$	264 139	2		1206 1358	263 140	1	
Travis	3835	1952	6	2	3941	1950	2	
Trinity Tyler	1046	335 418	5		1053 1574	331 414	4	
	1555				1564	571		
Uvalde	623	119			642	116	···· ·	
Val Verde Van Zandt	131 1801	39 166	92		129 1821	43 69		
Victoria	773	737			779	736		
Walker Waller	1011 874	457 1089			915	548 1096	• • •	
Washington	2563			·	2563			
Webb	1699	161			1714	154		
Wharton Wheeler	251 125	466 58	· · · · · · ·		255 135	466 54		••••
Wichita	666	180	4		684	166	1	
Wilbarger Williamson	$\begin{array}{c} 1091 \\ 2885 \end{array}$	112 633	116 25		1043	$\begin{array}{c} 106 \\ 772 \end{array}$	28 19	
Wilson	1654	157			2756 1644	149		
Wise	2649	237		ļ ¦	2595	272	6	
Wood Yourg	1433 861	354 47	7 29		1408 863	351 47	28	
Zapata	20	141			161			
Zavala .	169				167	5	·	·····

SUMMARY.

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On motion of Senator Tyler the Senate withdrew from the Hall of Representatives to the Senate Chamber.

IN THE SENATE.

On motion of Senator Kimbrough the call of the Senate was suspended. On motion of Senator Tyler the Senate adjourned till Monday at 10 a.m.

SIXTH DAY.

SENATE CHAMBER, TWENTY-SECOND LEGISLATURE, Austin, Tex. Jan. 18, 1891.

Senate met pusuant to adjournment.

President pro tem. Burges in the chair.

Praver bv the chaplain. Dr. Smoot.

Roll called.

Quorum present.

On motion of Senator Kimbrough, the reading of the journal was dispensed with.

On motion by Senator Potter the journal of Saturday was corrected so as to show that his resolution asking that a committee be appointed on incorporated cities and towns was passed by a unanimous vote.

Senator Finch asked that Senator Frank be excused on last Saturday on account of sickness.

On motion of Senator Lubbock, Senator Mott was excused for same cause.

On motion of Senator Kimbrough, Senator Glasscock was excused on last Saturday for same cause.

On motion of Senator Johnson, the assistant journal clerk, M. J. Mosely, was excused today on account of sickness.

Senator Finch presented the following report:

COMMITTEE ROOM. Austin, Tex., Jan. 17, 1891. Hon. W. H. Burges, president pro tem. of the Senate:

Your joint committee on the part or the Senate appointed to formulate some plan for printing the Record and proceedings of the Twenty-second legislature would respectfully report that they are now in the discharge of that duty, and are making estimates of the costs and considering the various plans suggested in reference to the matter. That as some time will elapse before a proper determination can be reached, your committee has. agreed upon the following plan for tem-

porary purposes:

That until otherwise ordered the sergents-at-arms of the Senate and House comply with the hereto attached resolution.

We further recommend that said resolution be taken up and passed at once.

Respectfully submitted,

FINCH. Chairman Senate Committee. SWAN.

Chairman House Committee.

Adopted.

Resolved. That until further ordered the seargents-at-arms of the Senate cause to be printed and laid on the desk of each Senator, ten copies of the Senate Journal and one copy of the House Journal, as now printed. And that the seargent at arms of the House procure and lay upon the desk of the members of the House ten copies of the House and one copy of the Senate Journal daily as now printed, and that the same be paid for out of the contingent funds of the Twenty-second Legislature; and that this resolution take effect from passage.

FINCH. Chairman Senate Committee. SWAN.

Chairman House Committee. On motion of Senator Kimbrough, the fairs. report was

Adopted.

BILLS AND RESOLUTIONS.

By Senator Crane:

A bill to be entitled "An act amending article 480, title 7, chapter 4 of the code of criminal procedure.

Referred to Judiciary Committee No. 2.

By Senator Carter:

A bill, an act entitled "An act to amend articles 1277 and 1278, title 29, chapter 10, of the revised statutes of the State of Texas."

Referred to Judiciary committee No. 2.

By Senator Cranford:

A bill to be entitled "An act to amend article 1263, chapter 8, title 29, of the revised statutes, relating to the time of filing answers and requiring same to be filed on or before the first day of the return term."

Referred to Judiciary committee No. 2.

By Senator Whatley:

"A bill to be entitled "An act to require railroad companies in this State to provide separate coaches for white and colored passengers.'

Referred to the committee on Internal

Improvements.

By Senator Page:

A bill to be entitled "An act for the relief of J. W. Batchelor."

Referred to committee on Private Land Claims.

By Senator Page:

A a bill to be entitled "An act to provide for the speedy and efficient enforcement of the liens of mechanics, contractors. sub-contractors, builders. laborers and material men, and to repeal all existing laws and parts of laws in conflict with the provisions of this act, passed at the regular session of the Twenty-fisrt Legislature and approved April 5, 1889."

Referred to committee on State Affairs.

By Senator Weisiger:

A bill to be entitled "An act to fix time for holding the district court in the Twenty-fourth judicial district."

Referred to Committee on Judicial Dis-

tricts.

By Senator Kimbrough:

A bill to be entitled "An act to amend an act entitled 'An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the Twentieth Legislature, approved March 23, 1887, and as amended at the special session of the Twentieth Legislature, approved April 30. 1888.'"

Referred to Committee on State Af-

By Senator Stephens (by request):

A bill to be entitled "An act to amend article 1054, chapter 2, title 15, of the Code of Criminal Procedure, and also to amend article 1094, chapter 4, of the Code of Criminal Procedure, and also to amend article 2398, chapter 3, of the Civil Code, and also to amend article 4520, chapter 1, title 91, of the Civil Statutes of the State of Texas relating to the payment of sheriffs costs and fees."

Referred to Judciary Committee No.

By Senator Stephens:

A bill to be entitled "An act to amend chapter 2, title 22 of the revised civil statutes of the State of Texas, by adding thereto after article 670, articles 670a, 670b, 670c, 670d, 670e, 670f, 670g, providing for disorganizing counties in certain cases.'

Referred to committee on Counties and County Boundaries.

By Senator Kearby:

A bill entitled "An act to prohibit a recovery upon any note, mortgage, deed of trust or other lien upon real estate within this state, or the sale of real estate by virtue of deeds of trust or other like instruments unless the same

has been rendered for taxes or the taxes thereon are paid."

Referred to Judiciary committee No.

By Senator Garwood:

A bill to be entitled "An act to amend article 680 of the code of criminal pro-

Referred to Judiciary committee No. 1.

By Senator Garwood:

A bill to be entitled "An act to amend article 730 of the code of criminal procedure, so as to prohibit attorneys employed in any criminal cause from testifying in said cause unless called thereto by the opposite party.

Referred to Judiciary committee No.

By Senator Crane:

A bill to be entitled "An act to amend article 344, title 17, chapter 2, of the revised statutes.

Referred to Judiciary committee No.

By Senator Lubbock:

A bill to be entitled "An act to amend chapter 86, section 1, of an act approved April 12. 1883, entitled 'An act to amend sections 1, 2 and 9 of an act entitled 'An act to amend an act entitled 'An act creating the office of public weigher and regulating the appointment and defining the duties and liabilities thereof." Approved April 19, 1879.

Referred to committee on Commerce.

By Senator Potter:

A bill to be entitled "An act establishing a normal school in North Texas and providing for the selection of the locality, for the donation and purchase of suitable and necessary buildings for the same and making an appropration therefor and for other purposes.

Referred to commttee on Education.

By Senator Simkins:

A bill to be entitled "An act to amend sections 1 and 2, chapter 51, of the acts of 1889, being entitled 'An act to amend section 46, chapter 48, of the acts of 1887, entitled 'An act to amend section 46, chapter 25, of the acts 1885, entitled 'An act to amend chapter 79 of the acts of 1883, entitled 'An act to amend section 46 of an act to encourage stock raising and to protect stockraisers, approved April 22, 1879, amended April 4, 1881, and April 12, 1883."

Referred to committee on Stock an Stockraising.

By Senator Weisiger:

A bill to be entitled "An act supplemental to, and to amend the general provisions of the statute of limitation. being chapter 3, title 62, revised statutes."

Referred to Judiciary Committee No.

By Senator Cranford:

A bill to be entitled "An act making appropriations for deficiencies in the appropriations heretofore made for payment of expenses in support of the State government for the year ending February 28, 1891, and for previous years, being for payment of claims registered in the comptroller's office in accordance with law, and for outstanding claims not registered and other deficiencies.

Referred to committee on Finance.

By Senator Carter:

A bill entitled "An act providing for the administration and winding up and disposing of the property and effects of insolvent merchants and traders.

Referred to Judiciary Committee No.

By Senator Stephens:

Joint Resolution.

Whereas, The great amount of necessary legislation demanding the attention of this session of the Legislature renders it impracticable to redistrict the state into congressional, senatorial and representative districts at the present session; therefore be it

Resolved, By the Legislature of the State of Texas, that no legislation be had on the subject of redistricting the state at the present session of the Legislature, and that we favor a called session of this Legislature for such purposes, at such time as the Governor may designate in his proclamation.

Senator Page offered the following substitute:

Whereas. There are measures pending before the Legislature in which the people of the entire State feel the deepest concern as affecting their welfare, and

WHEREAS, The successful enactment of these measures into laws are and should be matters of the first importance and paramount in consideration to all others.

WHEREAS, A majority of this body are pledged to use every exertion to bring about a consummation of the legis-

lation aforesaid, and

WHEREAS, It is highly probable that a bill redistricting and reapportioning the state into congressional and other districts will give rise to a protracted and heated controversy and struggle to the prejudice of other legislation of greater importance, and in which the people feel, at this juncture, a profounder interest,

Be it resolved by the Senate, That it is the sense of this body that the consideration of any bill providing for the reapportionment and redistricting aforesaid will be, under the circumstances, unwise and out of place at this session of the legislature, in view of the urgency of other matters demanding legislative action, and the limitations of time within which legislation may be had.

After discussion by Senators Kimbrough, Harrison, Stephens and Page, Stephens accepted substitute, and it was made special order for Thursday morning

of the morning call.

By Senator Townsend:
Resolved, That with the consent of the presiding officer, that the chairman of the committee on judicial districts appoint a clerk for said committee, who shall be subject to service as general committee clerk Said clerk to be paid only while actually employed.

Adopted by the following vote:

YEAS-15.

Atlee,	Garwood,	McKinney,
Clemens,	Harrison,	Page,
Crane,	Johnson,	Tyler,
Carter,	Kimbrough,	Townsend,
Cranford,	Lubbock,	Weisiger.
	nays—12	
Clark,	Kearby,	Simkins,
Frank,	Maetze,	Sims,
Finch,	Potter,	Stephens,
Glasscock,	Seale,	Whatley.;
	ABSENT-4	•

By Senator Page:

Burney,

Be it resolved by the Senate,

Ingram.

That the comptroller of public accounts be and he is hereby requested to furnish for use of the senate the following information, as far as practicable, going into itemized details:

'Mott.

Pope.

1. The amount of money appropriated by the regular and special sessions of the Twentieth legislature and the regular sessions of the Twenty-first legislature, for the fencing and improvement of the capitol grounds.

What sums of money thus appro-

and how much, if any, remains unexpended.

3. To whom and for what such money has been paid, designating the character of work done, by whom done, the amount paid for such work and to whom

Whether such work has been let by contract under sealed bids, and how much, if any, is still due on contract for work already done.

Resolved,

2d. That on receipt of such information the secretary of the senate be and he is hereby directed to have same printed in the journals of the senate.

Adopted.

By Senator Crane:

Resolved, That section 83 of the rules of this senate be and the same is hereby amended so as to hereafter read as fol-

"When the senate is in ex-Section 83. ecutive session the senate chamber and gallery shall be closed of all persons except the secretaries, doorkeeper and assistant doorkeeper, sergeant-at-arms, assistant sergeant-at-arms, journal clerk, assistant journal clerk and calendar clerk."

The following message was received from the House of Representatives:

> House of Representatives, AUSTIN, Tex., Jan. 19, 1891.

To the Hon. W. H. Burges, President pro tem of the Senate:

SIR—I am instructed by the House to inform your honorable body of the passage of the following concurrent resolution, to

Resolved, by the House of Representatives of Texas, the Senate concurring, That we view with alarm the attempt of the Republican party in congress to fasten upon the country the infamous election law, known as the "Force Bill," and denounce same as a meddlesome interference by the federal power with the reserved rights of states, and call upon our representatives in congress to continue their unceasing efforts to defeat said bill.

SAM H. DIXON, Chief Clerk House of Representatives.

Senator Carter offered the following resolution:

Be it resolved by the Senate of the State of Texas, That the comptroller of public accounts be, and he is hereby requested to furnish to the senate an itemized statement of the amount of money expended by the supreme court out of the contingent fund priated have been expended for the pur-set aside for that court by the last legislaposes for which it was appropriated, ture of the State of Texas for transportation of books and papers from one branch of the supreme court to another branch of said court, and that said information, when received, be printed in the journals of the Senate.

Senator Johnson wanted it to include the entire cost of the court.

Senator Kimbrough offered the following amendment:

"Insert after the word books railroad fares and all other expenditures."

After discussion by Senators Carter, Simkins, Johnson and Kimbrough the resolution and amendment was withdrawn by common consent.

Senator Carter offered the following substitute for the resolution:

Whereas, There is now pending before the Senate a bill to concentrate the supreme court at Austin, and it is advisable that the Legislature be fully advised as the various items of expense attending the holding of said court at the several places in the state, therefore be it

Resolved, That the comptroller be and he is hereby instructed to furnish all items of expense attending said courts.

It is further resolved that the members of the supreme and appellate court be respectfully requested to state the time lost by them and expense incurred of traveling from one point of meeting to another, as well as all additional expenses accruing to litigants in and by reason of transfer of cases from one court to another as well as any other expense incidental to the present condition of things.

Senator Potter offered the following amendment:

Resolved that the clerks of the supreme and appellate courts at Austin, Tyler and Galveston be requested to furnish the Senate a report of the number of cases upon their respective dockets, and the number, if any, that were left upon such dockets at the close of the last session of such courts.

Senator Stephens offered the following amendment, which was accepted by Senator Potter:

Amend resolution by adding the follow-

ing:
"That the clerk of the supreme court at Austin, Texas, be required to submit the amount of fees collected by him from litigants in his court incident to transferring cases from the Austin branch of the supreme court to the other branches thereof.'

Adopted, as amended.

Senator Simkins then moved to make it special order for Friday after morning | indefinately call.

Senator Tyler moved an amendment to make it special order for Wednesday.

Senator Simkins accepted and it was so ordered.

The following committees were announced:

On Mining and Irrigation—

Page, chairman; Kearby, Finch, Kimbrough, Crane, Weisiger, Burney, Sims, Ingram, Atlee, Simkins, Clemens, Stephens, Whatley and Clark.

On Towns, Cities and Corporations—

Potter, chairman; Lubbock, Kearby, Whatley, Kimbrough, Mott, McKinney, Clemens, Glasscock, Ingram, Clark, Carter, Atlee, Simkins and Harrison.

On Apportionment and Representation— Cranford, chairman; Seale, Page, Pope, Stephens, Carter, Atlee, Maetze, Tyler, Garwood, Frank, Crane, Townsend, Harrison and Johnson.

Senator Cranford was, at his own request, relieved from the chairmanship of the Committee on Finance and Senator Clemens is made chairman of that committee.

Senator Glasscock, chairman, announced that Mr. D. M. Wilson of Travis had been appointed clerk of the Committee on Education.

Senator Page offered the following resolution:

Resolved by the Senate. That the secretary of the Senate be and he is hereby directed to institute inquiry as to the cause of delay in placing the reports of the several departments (except those of education and geology) on desks of senators, which was adopted.

Senator Johnson called up the following conference rule, it having been favorably

reported Saturday and laid over.

In all conferences between the Senate and the House by committee the number of each committee shall be five, and all votes on matters of difference shall be taken by each committee separately, and it shall require a majority of each committee concurring upon the matter in dispute to determine it.

The reports of all conference committees must be signed by a majority of each com-

mittee of the conference.

On motion of Senator Stephens the report was laid over for future reference.

Simkins opposed, Johnson favored and Senator Kimbrough offered to amend by inserting the word "present" after the word "committee" in line seven.

Amendment adopted.

Senator Simkins' motion to postpone

Lost.

House of Representatives, Austin, January 19, 1891. \(\)
Hon. W. H. Burges, President Pro Tem.

of Senate.

Sir:—I am instructed by the House to inform you that the House has adopted the report of the joint committee on the part of the Senate and House, pertaining to the publishing of the journals of the Houses.

SAM H. DIXON,

Chief Clerk House of Representatives.
On motion of Senator Kimbrough,
The regular order of business was sue

The regular order of business was sus-

pended and

House bill No. 60, being "An act making an appropriation for the mileage and per diem pay of members and per diem pay of officers and employes of the Twenty-second Legislature," was taken up, read a third time and passed with the emergency clause.

On the final passage of the bill the yeas

were:

YEAS-26.

Kimbrough, Atlee. Lubbock, Clark, Clemens, McKinney, Maetze, Crane, Carter, Potter, Cranford, Page, Frank, Seale, Finch, Stephens, Glasscock, Sims. Garwood, Tyler, Townsend, Harrison, Johnson, Whatley, Kearby, Weisiger.

Absent, not voting. Senators Burney,

Ingram, Mott, Pope, Simkins.

Senator Clemens, from the committee on Contingent Expenses, offered the following:

COMMITTEE ROOM, Austin, Texas, Jan. 17, 1891.

Hon. W. H. Burges, President of the Senate.

Sir:—Your committee on Contingent Expenses to whom was referred House bill No. 61, making an appropriation to defray the contingent expenses of the Twenty second Legislature, respectfully report that they have had the same under consideration and recommend that the same do pass.

On motion of Senator Clemens, House bill No. 61, entitled "An act making an appropriation to defray the contingent expenses of the Twenty-second Legislature," was taken up, out of its order, read; sec-

ond time and

Passed to third reading.

Senator Kimbrough moved that the constituent requiring a bill to be read on three several days be suspended and the

bill taken up and read a third time and put upon its final passage.

On the question, "shall the constitutional rule be suspended," the vote was:

YEAS-27.

Atlee, Kimbrough, Clark, Lubbock, Clemens, Maetze, Crane, Potter, Carter, Page, Cranford, Seale, Frank, Simkins, Finch. Stephens. Glasscock, Sims, Garwood. Tyler, Harrison, Townsend, Johnson, Whatley, Kearby, Weisiger.

Absent on leave and not voting—Senators Burney, Ingram, McKinney, Pope and Mott—5.

Four-fifths of the Senators elected having voted in the affirmative the rule was suspended and the bill taken up and read a third time.

Pending the question shall the bill pass? Senator Carter moved a call of the Sen-

ate.

The roll was called and the following senators answered to their names:

Atlee. Kimbrough, Clark, Lubbock, Clemens, McKinney. Crane, Maetze, Carter. Potter, Cranford, Page, Frank, Seale. Finch, Simkins, Glasscock, Stephens, Garwood, Sims, Harrison, Tyler, Johnson, Whatley, Kearby, Weisiger.

On motion of Senator Stephens the call

of the Senate was suspended.

House bill No. 61 was then taken up and passed with the emergency clause.

The bill was passed by the following

vote:

YEAS-27. Atlee, Clark, Clemens, Crane, Carter, Cranford, Frank, Finch, Glasscock, Garwood, Harrison, Johnson, Kearby, Kimbrough, Lubbock, McKinney, Maetze, Potter, Page, Seale, Simkins, Stephens, Sims, Tyler. Townsend. Whatley.

NAYS-None.

Absent and not voting—Senators Burney, Ingram, Mott and Pope.

The following telegram was received from Lieutenant Governor Wheeler:

FORT WORTH, Jan. 18.

Hon. G. C. Pendleton, Austin-Sickness prevents my presence at inauguration. Permit me to congratulate you and Texas on your inauguration as lieutenant governor.

T. B. WHEELER.

By Senator Simkins, a resolution:

That the telegram re-Be it Resolved, ceived from the Hon. T. B. Wheeler, Lieutenant Governor of the State of Texas, announcing his inability to attend the present session of the senate and the inaugural of the incoming administration, be spread upon the journals, and the senate of Texas hereby expresses its regret for the enforced absence of the lieutenant governor, as well as its sincere sympathy in his sickness and wish him a speedy recovery.

Adopted.

The following invitation from the South Austin Literay society was received and read:

Assembly Room of the South Aus-TIN LITERARY SOCIETY, (Fulmore Building.) South Austin, Tex., Jan. 15, 1891.

Members of the Twenty-second Legislature, (Senate):

You are respectfully requested to attend the meeting of the South Austin Literary society, to become members, and to assist in carrying out a programme which we shall hereafter use every effort to make entertaining.

Respectfully Yours, H. J. KETCHUM, President, Miss L. C. Diener, Secretary, KERNEL CRAIG, Treasurer.

It was announced that Mr. Zol Wood had been appointed clerk of the committee on Incorporated Cities and Towns.

Senator Simkins called for a report on senate bill No. 15.

It was ascertained that the bill was in the hands of the printer.

Senator Johnson moved that the sergeant-at-arms be instructed to ascertain and report when the bill would be printed.

Adopted.

A message having been received from the Governor relative to confirmation.

On motion of Senator Stephens the Sen. ate went into executive session.

(In the Senate.)

Senator Tyler moved that Senator Cran-

ford be added to judiciary committee No.

Adopted.

Senator Johnson announced that the Committee on Internal Improvements would meet Wednesdays and Saturdays at 2:30 p. m.

On motion of Senator Carter Senate adjourned till tomorrow morning at 10 o'clock.

SEVENTH DAY.

SENATE CHAMBER, Austin, Tex., Jan. 20, 1891.

Senate met pursuant to adjournment, President Pro Tem Burges in the chair.

Prayer by the chaplain, Dr. Smoot. Roll called.

Quorum present, the following senators answering to their names:

Clemens, McKinney. Crane, Maetze, Carter, Potter, Cranford, Page, Seale. Frank. Finch, Stephens, Harrison, Sims. Johnson, Townsend. Kearby, Whatley, Kimbrough, Weisiger, Lubbock.

On motion of Senator Carter, the reading of the journal was dispensed with.

The president announced that the public printer was present and desired to make some explanations to the Senate.

No objection being raised, the public printer explained that no bill had been in his hands more than two days, unless Sunday had intervened.

Senator Pope desired to know if bills would hereafter be printed within two or three days at the farthest after they had been placed in the hands of the printer.

The public printer said that ordinarily they would, and that they would always be done as soon as possible.

On motion of Senator Kearby

The explanation of the public printer

Accepted.

Senator Kearby moved that Saturday's journal be corrected so as to show that Senator Pope was excused, and

It was so ordered.

The president announced the morning call and the following bills and resolutions were introduced.

By Senator Cranford (by request):